IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

And
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 22518 of 2004

Between:

M.Kiran Kumar S/o. M.K. David

R/o.H.No.Q.No.1 Health Centre, ANGRAU Campus,

Rajendra Nagar R.R.District.

..... PETITIONER

AND

1 The Station House Officer Rajendranagar Police Station
Rajendranagar, R.R.District.
2 The Station House Officer Chandoor Police Station
Chandoor, Nalgonda District.
3 The Superintendent of Police Nalgonda District Nalgonda.
4 The Commissioner of Police Cyberabad Division
Cyberabad, Hyderabad.
5 The Director General of Police and Inspector General of Police, Lakdikapool, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or orders more particularly one in the nature of writ of Habeas Corpus direct the respondents herein to produce the detenue namely K.Varalaxmi, W/o.M.Kiran Kumar Age: 18 years OCC: B.Tech 1st year Student, R/o.H.No.6-1-13,

Bhavani Colony, Rajendra Nagar, Hyderabad before this Hon'ble Court and record the statements of detenue and register the criminal case against the erring respondents, who have committed on offence and set her at liberty.

Counsel for the Petitioner: MR.V.RAGHUNATH

Counsel for the Respondents No1 to 5.: THE ADVOCATE GENERAL

The Court made the following :

Oral order: (Per: The Hon'ble Mr. Justice Bilal Nazki)

This writ petition has been filed for securing the custody of one K. Vara laxmi. The petitioner claims that he has married the detenue – K. Vara Laxmi. We have recorded her statement. She states that she loved the petitioner and wants to live with him. Admittedly, the detenue is a minor. Therefore, at this stage, we cannot comment on the alleged marriage between the petitioner and the alleged detenue. She is in the custody of her parents, who have a lawful right to hold her custody till she attains the majority. However, she apprehends that her father may marry her against her wishes. Therefore, we direct that she shall not be married or got married by the father against her will, particularly during her minority. The detenue is allowed to go back with her father, who is also present in the court.

Accordingly, the writ petition is dismissed. No costs.

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BILAL NAZKI, J

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Dr. G. YETHIRAJULU, J

Dt. 14-12-2004

Pvks/*

To

1 The Station House Officer Rajendranagar Police Station
Rajendranagar, R.R.District.
2 The Station House Officer Chandoor Police Station
Chandoor, Nalgonda District.
3 The Superintendent of Police Nalgonda District Nalgonda.
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5 The Director General of Police and Inspector General of Police, Lakdikapool, Hyderabad.

6.2CCs to the Advocate General, A.P. High Court Buildings, Hyderabad (OUT).

7.2CD copies

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